IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWENTIETH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO.23644 of 2004

Between:

IBM High School rep by its Correspondent, Dr. K.E. Suryakantam
S/o K. Enho Nagarkurnool, Mahaboobnagar District

..... PETITIONER

AND

1 The Government of Andhra Pradesh rep by its Secretary,
Education Department, Secretariat, Hyderabad
2 The Commissioner and Director of school Education, Saifabad,

Hyderabad
3 The District Educational Officer, Mabahoobnagar District

....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents in not releasing the maintenance grant to the petitioner school as prescribed percentage as per G.O.Ms. No. 320 Edn (PS.2) Dept, dated 16-9-1994 is arbitrary, unjust and unreasonable and consequently direct the respondents to release the maintenance grant Rs.1,47,385-48 paise as per G.O.Ms. No. 320 Edn (PS.2) Dept, dated
16-9-1994 to the petitioner school immediately.

Counsel for the Petitioner: MR.S.GIRIMOJI RAO

Counsel for the Respondents: GP FOR SCHOOL EDUCATION

The Court, at the admission stage, made the following:

ORDER:

Aggrieved by the action of the respondents in not releasing the maintenance grant to the petitioner-School in terms of G.O.Ms.No.320, Education Department, dated 16.09.1994 in spite of submitting proposal, the present writ petition is filed.

Heard the learned counsel for petitioner and learned Government Pleader for School Education.

Learned counsel for the petitioner submits that the request made by the petitioner-School to the 2nd respondent-Commissioner and Director of School Education on 03.10.2004 for release of maintenance grant in terms of G.O.Ms.NO.320, dated 16.09.1994 for the years 1996-97 to 2003-2004 was recommended by the 3rd respondent-District Educational Officer and now the same is pending consideration before the 2nd respondent-Commissioner and Director of School Education.

Learned Government Pleader for Education submits that the subject matter is squarely covered by a decision of this Court in W.P.No.19253 of 2001, dated 17.09.2001.

Following the same, this Writ Petition is disposed of directing the respondents herein to release the maintenance grant to the petitioner-School in terms of G.O.Ms.No.320, Education (PS-2) Department, dated 16.09.1994 within a period of four months from the date of receipt of a

copy of this order.

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(N.V. RAMANA, J)

Date: 20.12.2004

Nsr/Tvk

.... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Secretary, Education Department, Government of Andhra

Pradesh, Secretariat, Hyderabad
2 The Commissioner and Director of school Education, Saifabad,

Hyderabad
3 The District Educational Officer, Mabahoobnagar District

4 Two CCs to GP for School Education, High Court of AP, Hyderabad

(OUT)

5 Two CD copies.